Edward C. Meara, Esq. (SBN 164978)
**BROWNWOOD & CANNON**
525 B Street, Suite 1300
San Diego, California 92101
(619) 744-6800; (619) 744-6811 Fax
Attorneys for Defendant,
TARGET STORES, a Division of TARGET COPRORATION, erroneously served and sued herein as TARGET CORPORATION

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

| | |
|---|---|
| EDGAR AQUINO, An Individual,<br><br>Plaintiff,<br><br>vs.<br><br>TARGET CORPORATION, DOE DEFENDANT, and DOES 1 TO 20, Inclusive,<br><br>Defendants. | Case No. 08 CV 00073-L- CAB (mg)<br><br>**JOINT MOTION ON STIPULATION FOR ORDER TO CONTINUE FRCP 26 EXPERT DISCLOSURE, SUPPLEMENTAL EXPERT DESIGNATION and FRCP 26a WRITTEN EXPERT REPORTS** |

This is a personal injury case arising out of a work place forklift accident which occurred at Target at 5454 Balboa Avenue in San Diego on October 6, 2005. This is a joint motion on stipulated request, with a concurrently submitted proposed order, for new dates concerning Federal Rule Civil Procedure Rule 26 (b) expert disclosure, supplemental expert designation, and FRCP 26A written expert reports.

1. On October 6, 2005, plaintiff, EDGAR AQUINO was working within the course of his employment with RGH Trucking, and was delivering a load of pumpkins to the Balboa Target Store. Plaintiff was injured when he climbed on the forklift and stepped on the controls, causing him to be pinned between the forklift tower and frame.

2. The Complaint on behalf of plaintiff was filed on October 5, 2007.

3. Each Defendant has answered and the case is at issue.

4. The initial CMC Order was signed by Magistrate Judge Cathy Ann Bencivengo and was entered on May 22, 2008.

5. No dates in this matter have been continued previously.

6. THE GROUNDS FOR THE CONTINUANCE ARE:

7. The expert designations are due on August 22, 2008.

8. The Mandatory Settlement Conference is scheduled for September 10, 2008.

9. All parties are in agreement that it is more prudent to postpone the designations of experts pending the outcome of the settlement conference.

10. As a result all parties are in agreement to continue the Federal Rule Civil Procedure Rule 26

a. expert disclosure until September 19, 2008, with

b. supplemental expert designation, due October 3,

c. FRCP 26A written expert reports due December 15, 2008, and

d. FRCP 26A written expert rebuttal reports due December 22, 2008.

11. Counsel stipulate to the dates set forth above with the understanding that each of the dates is subject to modification as is convenient to the Court.

12. Counsel for Defendant, TARGET STORES, certifies by his signature below that upon filing this document it has been deemed acceptable to all persons required to sign, who have authorized the use of their electronic signatures.

IT IS SO STIPULATED.

DATED: August 21, 2008 BROWNWOOD & CANNON

By: s/ Edward C. Meara
Edward C. Meara
Attorneys for Defendant, TARGET STORES, a Division of TARGET COPRORATION

DATED: August 21, 2008 WELCH & WELCH, APC

By: s/ Rance D. Welch
Rance D. Welch, Esq.
Attorneys for Plaintiff EDGAR AQUINO